

Amendment No. 1 to SB2190

Kelsey
Signature of Sponsor

AMEND Senate Bill No. 2190

House Bill No. 2030*

by deleting subdivisions (b)(3) and (4) in the amendatory language of Section 2 and substituting instead the following:

(3) Whether the respondent expresses a desire to not communicate, visit, or interact with the person;

(4) If the respondent is unable to communicate, whether a properly executed living will, durable power of attorney, or advance directive contains a preference by the respondent with regard to the person's communication, visitation, or interaction with the respondent; or

(5) Any other factors deemed relevant by the court.

AND FURTHER AMEND by deleting in Section 2(c)(3) the language "Prior to issuing an order" and substituting instead the language "In issuing an order".

AND FURTHER AMEND by deleting in Section 2(f)(1) the following language:

; provided, however, that an award of court costs or attorney's fees shall not be paid out of the respondent's estate

AND FURTHER AMEND by deleting in Section 2(f)(2) the following language:

; provided, however, that no sanction shall be paid out of the respondent's estate

AND FURTHER AMEND by deleting in Section 3(a) the following language:

A conservator shall promptly notify a respondent's closest relatives and any person designated by the respondent to be notified

and substituting instead the following:

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A conservator shall use best efforts to promptly notify a respondent's closest relative or relatives identified in the petition for appointment under § 34-3-104 and any person designated by the respondent to be notified

AND FURTHER AMEND by deleting in Section 3(a)(5) the following language:

; provided, that notification of the respondent's death shall be made in person or by telephone